OCT 0 7 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/802,975

Filing Date:

03/17/2004

Applicant:

Gary Allan Strobel

Title:

THE APPLICATION OF VOLATILE ANTIBIOTICS AND

NON-VOLATILE INHIBITORS FROM MUSCODOR SPP. TO

CONTROL HARMFUL MICROBES IN HUMAN AND

ANIMAL WASTES

Examiner/GAU:

Irene Marx/1651

PROVISIONAL ELECTION

The Honorable Commissioner for Patents Washington, District of Columbia 20231

Dear Sir:

In response to the Office Action mailed on September 29, 2006, Applicant

provisionally elects Group I, Claims 1-18 and 25-27. The election is without traverse.

Respectfully submitted,

Antoinette M. Tease

ANTOINETTE M. TEASE, P.L.L.C.

Attorney for Applicant

PO Box 51016

Billings, MT 59105

(406) 245-5254

Registration No. 53860

Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, were deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: "Commissioner for Patents, PO Box 1450, Alexandria, VA 2231/3-1450."

Intoinette M. Tease

October 7, 2006

0-10-06 PTO/SB/21 (09-06) Approved for use through 03/31/2007. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/802.975 TRANSMITTAL Filing Date 03/17/2004 First Named Inventor **FORM** Gary Allan Strobel Art Unit 1651 **Examiner Name** Irene Marx (to be used for all correspondence after initial filing) Attorney Docket Number PHI04-0001 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Provisional Election Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Tease, P.L.L.C. Signature Printed name Antoinette M. Tease Date Reg. No. 16/07/2006 53680 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with mail/n an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on sufficient postage as firetthe date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

10/06/2006

A**y**itojnette M. Tease

Typed or printed name